

Feb 21, 2018

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

BULMARO TORRES,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

No. 1:17-CV-3111-JTR

ORDER GRANTING STIPULATED
MOTION FOR REMAND
PURSUANT TO SENTENCE FOUR
OF 42 U.S.C. § 405(g)

BEFORE THE COURT is the parties' stipulated motion to remand the above-captioned matter to the Commissioner for additional administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 21. Attorney D. James Tree represents Plaintiff; Special Assistant United States Attorney Daphne Banay represents Defendant. The parties have consented to proceed before a magistrate judge. ECF No. 3. After considering the file and proposed order, **IT IS ORDERED:**

1. The parties' Stipulated Motion for Remand, **ECF No. 21**, is **GRANTED**. The above-captioned case is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

The administrative law judge (ALJ) shall hold a *de novo* hearing on remand and issue a new decision. On remand, the ALJ shall: (1) further evaluate Plaintiff's English language proficiency; and (2) reevaluate the Plaintiff's residual

1 functional capacity as necessary. The ALJ may take any other actions necessary to
2 develop the record, and Plaintiff may submit additional evidence and present
3 additional argument.

4 2. **Judgment shall be entered for PLAINTIFF.**

5 3. Plaintiff's Motion for Summary Judgment, **ECF No. 14**, is
6 **STRICKEN AS MOOT.**

7 4. An application for attorney fees may be filed by separate motion.

8 The District Court Executive is directed to enter this Order, forward copies
9 to counsel, and **CLOSE THE FILE.**

10 DATED February 21, 2018.



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A handwritten signature in black ink, appearing to be "M" or "Rodgers", written over a horizontal line.

JOHN T. RODGERS
UNITED STATES MAGISTRATE JUDGE